

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALFRED SINCLAIR,

Plaintiff,

No. 04-CV-70670-DT

vs.

Hon. Gerald E. Rosen

CITY OF BIRMINGHAM, et al.,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT

At a session of said Court, held in the
U.S. Courthouse, Detroit, Michigan
on September 30, 2005

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This matter having come before the Court on the September 1, 2005 Report and Recommendation of United States Magistrate Judge R. Steven Whalen recommending that the Court grant Defendants' Motion for summary judgment, and dismiss Plaintiff's Complaint in its entirety; and Plaintiff having timely filed objections to the Magistrate Judge's Report and Recommendation having been filed;¹ and the Court having reviewed the Magistrate Judge's Report and Recommendation, Plaintiff's Objections, and the Court's file of this action and having concluded that, for the reasons stated in the Report and

¹ The Court granted Plaintiff an extension of time until September 28, 2005 to file his objections.

Recommendation, summary judgment should be entered in favor of Defendants and this case should, accordingly, be dismissed in its entirety; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of September 1, 2005 be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' Motion for Summary Judgment be, and hereby is, GRANTED. Plaintiff's Complaint is, accordingly, DISMISSED in its entirety with prejudice.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: September 30, 2005

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 30, 2005, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager

